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JANE DOE ONE, JANE DOE TWO,
9 JANE DOE THREE, JANE DOE FOUR,
and JANE DOE FIVE

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF MINNESOTA

12 JANE DOE ONE, JANE DOE TWO,
JANE DOE THREE, JANE DOE FOUR,
13 and JANE DOE FIVE,

14 Plaintiff,

15 vs.

16 THE NATURE CONSERVANCY,
DOUGLAS SHAW, and DOES 1 through
17 30, inclusive,

18 Defendants.

Case No. 24-cv-01570

COMPLAINT FOR DAMAGES
DEMAND FOR JURY TRIAL

SEX HARASSMENT;
SEX DISCRIMINATION;
RETALIATION;
INTRUSION UPON SECLUSION;
APPROPRIATION;
FALSE LIGHT;
DEFAMATION;
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;
NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS;
NEGLIGENT RETENTION AND
SUPERVISION

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I. NATURE OF THE CASE

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2 1. This action is brought by PLAINTIFFS JANE DOE ONE, JANE DOE TWO,
3 JANE DOE THREE, JANE DOE FOUR, and JANE DOE FIVE, all of whom are either
4 current or former employees of DEFENDANT THE NATURE CONSERVANCY
5 (hereinafter referred to as “TNC”). PLAINTIFFS bring this action for violations of federal
6 and state laws, including those prohibiting: sex harassment; sex discrimination; retaliation;
7 invasion of privacy torts including intrusion upon seclusion, appropriation, and false light;
8 defamation; intentional infliction of emotional distress; negligent infliction of emotional
9 distress; and DEFENDANT TNC’s negligent retention and supervision of DEFENDANT
10 DOUGLAS SHAW.

11 2. PLAINTIFFS all worked as employees in various capacities for
12 DEFENDANT TNC’s Minnesota, North Dakota, and South Dakota Chapter (hereinafter
13 referred to as the “Tri-State Chapter”), the headquarters of which is based in Minneapolis,
14 Minnesota. PLAINTIFFS primarily worked in Minnesota and also in South Dakota.
15 DEFENDANT DOUGLAS SHAW was the Associate Director of DEFENDANT TNC’s
16 Tri-State Chapter during PLAINTIFFS’ employment and worked out of the Tri-State
17 Chapter headquarters in Minneapolis, Minnesota. Each PLAINTIFF was in a subordinate
18 position to DEFENDANT SHAW during his tenure as the Associate Director of the Tri-
19 State Chapter. DEFENDANT SHAW used his position of power and authority over
20 PLAINTIFFS to regularly take photos of PLAINTIFFS in the workplace, while on work-
21 related trips, and during work-related events. DEFENDANT TNC encouraged
22 DEFENDANT SHAW to take photos of PLAINTIFFS and other employees during the
23 course of their employment. DEFENDANT SHAW abused his position of power over

1 PLAINTIFFS by requesting that they become his friends on social media, which they did
2 not feel comfortable declining due to his position as Associate Director of the Tri-State
3 Chapter and the authority he had over them. DEFENDANT SHAW's continued abuse
4 occurred when he used numerous photos of PLAINTIFFS for his own and others' sexual
5 gratification without PLAINTIFFS' consent. DEFENDANT SHAW either took the photos
6 at issue while both he and PLAINTIFFS were working in the course and scope of their
7 employment with DEFENDANT TNC, or he lifted them from PLAINTIFFS' social media
8 accounts, to which he had gained access by virtue of his employment with DEFENDANT
9 TNC and his corresponding position of power and authority over PLAINTIFFS within the
10 organization. All PLAINTIFFS learned about DEFENDANT SHAW's unlawful online
11 misconduct on or after September 28, 2022.

12 3. DEFENDANT SHAW was allowed and emboldened to commit these
13 unlawful acts and others due to DEFENDANT TNC's history and culture of willful failure
14 to appropriately monitor for, prevent, investigate and correct misconduct, including by
15 failing to implement adequate policies and procedures to protect employees. DEFENDANT
16 TNC's inadequate policies and procedures created, fostered, and allowed to exist a hostile
17 environment for PLAINTIFFS. DEFENDANT TNC's inadequate employee protections
18 were shocking and unconscionable for many reasons, including but not limited to:

- 19 - DEFENDANT TNC's leaders (other than DEFENDANT SHAW) repeatedly
20 perpetrated acts of sex harassment and discrimination in the years leading up
21 to DEFENDANT SHAW's misconduct, as a result of which DEFENDANT
22 TNC engaged outside counsel to investigate and make recommendations
23 which DEFENDANT TNC unreasonably failed to follow;

- Employees of DEFENDANT TNC, including but not limited to PLAINTIFFS JANE DOE ONE, JANE DOE THREE, and JANE DOE FOUR, repeatedly made discrimination and/or harassment complaints about DEFENDANT SHAW over the course of approximately 10 years and received no appropriate response; and
- At least one manager recognized the danger DEFENDANT SHAW posed to women in the organization and cautioned multiple women against traveling with DEFENDANT SHAW, but thereafter, DEFENDANT TNC continued to encourage DEFENDANT SHAW to photograph and go on overnight trips to the field with women subordinates.

4. In this organizationally pervasive atmosphere of denial, inaction, and willful failure to follow the law, DEFENDANT DOUGLAS SHAW photographed many of his female subordinates, including but not limited to PLAINTIFFS, posted those photographs on a photo and video sharing social media site, and made and solicited highly sexualized and false comments about PLAINTIFFS JANE DOE ONE, JANE DOE TWO, and JANE DOE THREE.¹

5. Although DEFENDANT TNC ultimately terminated DEFENDANT SHAW, Tri-State Chapter Director Ann Mullholland admitted in a written communication to staff

¹ Although DEFENDANT SHAW posted one or more photos of PLAINTIFFS JANE DOE FOUR and JANE DOE FIVE on the same photo and video sharing social media site without their consent in a manner in which they were objectified, these womens' photographs and the comments about them were not sexually explicit, though they were positioned amidst other sexually explicit content.

1 after the termination that DEFENDANT TNC had continued to employ DEFENDANT
2 SHAW for a period of roughly 10 years during which multiple complaints were made about
3 his inappropriate conduct with women staff members. Additionally, Mulholland sent an
4 email to all Tri-State Chapter staff (more than 70 employees with whom PLAINTIFFS
5 worked closely) notifying them that DEFENDANT SHAW posted inappropriate pictures
6 and comments on a photo and video sharing social media website, which she specifically
7 named, before the photos and comments had been removed. As a result, many of
8 PLAINTIFFS' colleagues were immediately drawn to the site to view the photos of and
9 comments about PLAINTIFFS, causing great humiliation and embarrassment to
10 PLAINTIFFS. All of DEFENDANTS' actions, inactions, and unlawful conduct have caused
11 lasting damage to PLAINTIFFS.

12 II. PARTIES

13 6. PLAINTIFF JANE DOE ONE was an Associate Director for DEFENDANT
14 TNC's Tri-State Chapter from approximately December 2019 until March 2023. She worked
15 primarily out of DEFENDANT TNC's Minneapolis, Minnesota office, and also traveled
16 within the state of Minnesota while working in the course and scope of her employment to
17 perform fieldwork for the organization. Due to the intolerable working conditions and hostile
18 environment JANE DOE ONE experienced, including DEFENDANT TNC's failure to take
19 appropriate action after several PLAINTIFFS and others complained about the unlawful
20 conduct pervading their work environment, JANE DOE ONE was forced to leave her job at
21 DEFENDANT TNC in or about March 2023.

22 7. PLAINTIFF JANE DOE TWO began working primarily out of
23 DEFENDANT TNC's Minneapolis, Minnesota office in or about 2016, which was shortly

1 after she assumed a Program Coordinator role with the organization. She held this position
2 until she became a Specialist in or about 2017. In this capacity she continued to work
3 primarily out of DEFENDANT TNC's Minneapolis, Minnesota office, although she also
4 traveled to perform fieldwork for the organization in and around the state of Minnesota until
5 she left the organization in or about February 2020. At all relevant times, DEFENDANT
6 SHAW was JANE DOE TWO's direct supervisor's supervisor.

7 8. PLAINTIFF JANE DOE THREE began working for DEFENDANT TNC's
8 Tri-State Chapter in or about 2011. In 2015, she became a Conservation Manager. In 2022
9 she became a Program Director. She is currently still employed by DEFENDANT TNC as
10 a Program Director. Throughout her tenure with DEFENDANT TNC, JANE DOE THREE
11 frequently traveled to DEFENDANT TNC's Minneapolis, Minnesota office and
12 surrounding field sites in Minnesota for work. While in Minnesota, JANE DOE THREE
13 frequently interacted with DEFENDANT SHAW, as he was in a supervisory position over
14 her.

15 9. PLAINTIFF JANE DOE FOUR began working for DEFENDANT TNC's
16 Tri-State Chapter as a Policy Associate in or about January 2020. In or about February 2021,
17 JANE DOE FOUR became a Policy Manager. In or about October 2022, JANE DOE FOUR
18 became an Associate Director. Throughout her tenure with DEFENDANT TNC, JANE DOE
19 FOUR worked out of DEFENDANT TNC's Minneapolis, Minnesota office, and made visits
20 to the field in and around the state of Minnesota. Due to the intolerable working conditions
21 and hostile environment JANE DOE FOUR experienced, including DEFENDANT TNC's
22 failure to take appropriate action after several PLAINTIFFS and others complained about
23 the unlawful conduct pervading their work environment, JANE DOE FOUR was forced to

1 leave her job at DEFENDANT TNC in or about July 2023.

2 10. PLAINTIFF JANE DOE FIVE was a Strategist for DEFENDANT TNC from
3 approximately June 2019 until she was promoted to a Senior Strategist in 2020. Her work
4 was based out of DEFENDANT TNC's Minneapolis, Minnesota office, and she visited field
5 sites throughout the state of Minnesota while working in the course and scope of her
6 employment. In late 2022, DEFENDANT TNC directed JANE DOE FIVE to review
7 DEFENDANT TNC's entire website and all of its Chapter-owned social media accounts to
8 ensure that any mention of DEFENDANT SHAW had been removed. When it made this
9 assignment, DEFENDANT TNC had knowledge of the fact DEFENDANT SHAW had
10 posted inappropriate pictures of JANE DOE FIVE without her consent. These actions and
11 others caused JANE DOE FIVE to suffer significant distress, resulted in her taking a leave
12 of absence in or about October 2022, and ultimately led to her leaving her employment with
13 DEFENDANT TNC in or about April 2023.

14 11. DEFENDANT TNC is a nonprofit corporation formed in the District of
15 Columbia, with its headquarters in Arlington, Virginia. The TNC Tri-State headquarters is
16 in Minnesota. During all relevant time periods, DEFENDANT TNC had and continues to
17 have 15 or more employees and, as such, is an "employer" within the meaning of 42 U.S.C.
18 §§ 2000e - 2000e17, aka Title VII of the Civil Rights Act of 1964 (hereinafter "Title VII"),
19 as well as the Minnesota Human Rights Act ("MHRA"), Minn. Stat. § 363A.01 *et seq.*

20 12. DEFENDANT DOUGLAS SHAW is a resident of Minnesota and at all times
21 material herein was an employee and agent of DEFENDANT TNC and was acting within
22 the course and scope of his employment with DEFENDANT TNC such that his actions and
23 inactions are attributable to DEFENDANT TNC. DEFENDANT SHAW is also individually

1 and personally responsible and liable for his unlawful conduct. DEFENDANT SHAW
2 worked as the Associate Chapter Director/Director of Conservation Science for
3 DEFENDANT TNC's Tri-State Chapter from approximately 2011 until September 29,
4 2022. At all relevant times DEFENDANT SHAW's work was based out of DEFENDANT
5 TNC's Minneapolis, Minnesota office.

6 **III. JURISDICTION AND VENUE**

7 13. This Court has original jurisdiction over this action under 28 U.S.C. § 1331,
8 as multiple causes of action asserted herein arise under federal law, Title VII, 42 U.S.C. §§
9 2000e - 2000e17.

10 14. The Court also has subject matter jurisdiction over PLAINTIFFS' state law
11 claims pursuant to 28 U.S.C. § 1367, because PLAINTIFFS' state law claims are so related
12 to claims in the action within the Court's original federal subject matter jurisdiction that they
13 form part of the same case or controversy under Article II of the United States Constitution;
14 each of PLAINTIFFS' claims and arise from a common nucleus of operative facts such that
15 the adjudication of PLAINTIFFS' state law claims with PLAINTIFFS' federal claims
16 furthers the interest of judicial economy.

17 15. This suit is brought in the United States District Court for the District of
18 Minnesota. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because
19 PLAINTIFFS worked in Minnesota, Douglas Shaw works and resides in Minnesota, the
20 TNC Tri-State headquarters are in Minnesota, the unlawful conduct alleged herein was
21 committed in Minnesota, and Minnesota is where a substantial part of the events or
22 omissions giving rise to the causes of action asserted herein occurred.

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IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

16. On July 10, 2023, the Equal Employment Opportunity Commission (EEOC) filed a charge of discrimination for all PLAINTIFFS. Each and every charge alleges gender discrimination and gender harassment under Title VII of the Civil Rights Act.

17. The charges of discrimination filed on behalf of JANE DOE ONE, JANE DOE TWO, JANE DOE FOUR, and JANE DOE FIVE all state they were concurrently presented to THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS.

18. The charge of discrimination filed on behalf of JANE DOE THREE states it was concurrently presented to THE SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION: DIVISION OF HUMAN RIGHTS. On or about September 14, 2023, JANE DOE THREE made a report of discrimination to THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS in which she alleged gender discrimination and harassment against DEFENDANT TNC and DEFENDANT SHAW. On or about January 10, 2024, an investigator at THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS interviewed JANE DOE THREE regarding her complaint.

19. All PLAINTIFFS received right to sue notices from the EEOC on February 5, 2024.

V. STATEMENT OF FACTS

20. PLAINTIFFS are a group of dedicated conservationists, all of whom have devoted many years of their lives to fulfilling DEFENDANT TNC's stated mission to conserve, protect, and restore natural diversity. PLAINTIFFS all worked at DEFENDANT TNC's Minnesota, North Dakota and South Dakota Chapters (hereinafter referred to as the "Tri-State Chapter") which was recently led by Chapter Director Ann Mulholland as well as

1 Associate Chapter Director/Director of Conservation Science DEFENDANT DOUGLAS
2 SHAW. As a result of DEFENDANT SHAW's high rank in the organization, he was in a
3 position of power over each and every PLAINTIFF. DEFENDANT SHAW abused his
4 position of power in the workplace including when he misused numerous photos of
5 PLAINTIFFS JANE DOE ONE, JANE DOE TWO, and JANE DOE THREE, for his own
6 and others' sexual gratification without their consent. DEFENDANT SHAW also abused
7 his position of power when he took and posted photos of PLAINTIFFS JANE DOE FOUR
8 and JANE DOE FIVE without their consent.

9 21. DEFENDANT SHAW either took the photos at issue during the course and
10 scope of his work with PLAINTIFFS or he lifted them from their social media accounts, to
11 which he had access due by virtue of his above-described position of power and authority at
12 DEFENDANT TNC. In multiple instances, when DEFENDANT SHAW posted the photos
13 on a photo and video sharing social media site, he altered the photos to make them sexual in
14 nature and/or create "deepfake"² explicit sexual images.

15 22. In or about mid-2019, while DEFENDANT SHAW and PLAINTIFFS JANE
16 DOE TWO and JANE DOE THREE were actively working for DEFENDANT TNC, the
17 organization's President, Brian McPeck, and Vice President & North American Managing
18 Director, Mark Burget, resigned. They did so shortly after the law firm McDermott Will &
19 Emery conducted an investigation into sexual harassment allegations against them that were
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21

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23 ² Pursuant to the Merriam Webster Dictionary, a deepfake image is "an image or recording
that has been convincingly altered and manipulated to misrepresent someone as doing or
saying something that was not actually done or said."

1 initially made via Twitter. The outside law firm’s “investigation” found: credible evidence
2 of an executive’s unwelcome kissing of a TNC employee; two executives’ failure to timely
3 disclose their romantic workplace relationships; a determination that two executives
4 “exercised poor judgement in discussing the investigation with TNC employees;” and many
5 opportunities for DEFENDANT TNC to improve its procedures to respond to complaints of
6 sexual harassment.

7 23. Shortly thereafter, DEFENDANT TNC rewarded the sexually harassing and
8 discriminatory misconduct by men in positions of power. DEFENDANT TNC’s IRS Form
9 990 for the fiscal year *after* the President McPeck’s and Vice President Burget’s resignations
10 due to substantiated sexual harassment allegations show DEFENDANT TNC paid former-
11 President McPeck nearly \$1.2 million and it paid former-Vice President Burget roughly
12 \$400,000 after their resignations.

13 24. DEFENDANT TNC’s culture of discrimination, harassment, denial, inaction,
14 and willful failure to appropriately prevent and correct misconduct is exemplified by the
15 actions of the organization’s CEO in the immediate aftermath of the 2019 sexual harassment
16 allegations. Then-CEO Mark Tercek held a townhall and sent out “talking points” to his
17 employees shortly after the sexual harassment allegations became public. In these official
18 forums, the CEO directed all employees to spread the word that the sexual harassment
19 allegations on Twitter “were thoroughly investigated... [and] No evidence has been found
20 to substantiate any of the allegations.”

21 25. In addition, during this same time period, many women employees including
22 JANE DOE ONE, JANE DOE THREE, and JANE DOE FOUR specifically complained
23 about DEFENDANT SHAW’s inappropriate conduct. For example, JANE DOE THREE

1 told her male supervisor on multiple occasions throughout the roughly seven years they
2 worked together that DEFENDANT SHAW treated her in a hostile and uniquely negative
3 manner that she never observed in DEFENDANT SHAW's interactions with male
4 colleagues. JANE DOE THREE also reported that DEFENDANT SHAW denied her
5 appropriate job grade recognitions and promotions, such as when DEFENDANT SHAW
6 refused to change her status for years despite her assumption of higher-level Program
7 Director duties that were outside the scope of her assigned role. JANE DOE THREE's
8 supervisor's only response was to encourage her to have "patience."

9 26. Approximately a week before some of the PLAINTIFFS discovered
10 DEFENDANT SHAW's online abuse, JANE DOE THREE notified Tri-State Chapter
11 Director Ann Mulholland that she was concerned about her upcoming transition to a new
12 role, as it would require her women supervisees and fellow women staff members to work
13 more closely with DEFENDANT SHAW during her transition. JANE DOE THREE
14 specifically raised concerns about DEFENDANT SHAW scheduling a mandatory field tour
15 with female staff (which is the type of event at which DEFENDANT SHAW typically took
16 photos of staff). Chapter Director Ann Mulholland told JANE DOE THREE that her
17 concerns would be considered; however, DEFENDANT TNC took no immediate action to
18 address those concerns, and the field tour was still set to occur as of the time JANE DOE
19 THREE discovered DEFENDANT SHAW had posted abusive, discriminatory, and
20 unlawful photos and comments of her and others online. DEFENDANT SHAW's departure
21 from the organization was the only reason the field tour event was canceled.

22 27. In addition, throughout 2020, JANE DOE ONE reported to her supervisor that
23 DEFENDANT SHAW was demeaning and abusive to her in their interactions. JANE DOE

1 ONE reported that in professional settings with numerous attendees, DEFENDANT SHAW
2 made demoralizing comments to assert his dominance and superiority. JANE DOE ONE's
3 supervisor's only response was to tell JANE DOE ONE to speak directly with her harasser
4 – DEFENDANT SHAW – about his harassment.

5 28. In June of 2022, months before PLAINTIFF JANE DOE THREE and the other
6 PLAINTIFFS discovered the illegal misconduct DEFENDANT SHAW was perpetrating
7 online, JANE DOE FOUR made a formal complaint about a recent meeting with
8 DEFENDANT SHAW in which she reported that his “countenance and raised voice made
9 me feel weak and devalued throughout the meeting.” JANE DOE FOUR used
10 DEFENDANT TNC's Human Resources formal reporting system, “Convercent,” to make
11 this complaint. JANE DOE FOUR's complaint detailed the fact she had previously told
12 Chapter Director Ann Mulholland about DEFENDANT SHAW's inappropriate behavior
13 directed towards her and another female employee, and JANE DOE FOUR requested
14 remedial action. Chapter Director Ann Mulholland immediately rejected this request without
15 any investigation or consideration.

16 29. In her written complaint to Human Resources, JANE DOE FOUR further
17 documented the fact that Chapter Director Ann Mulholland specifically told JANE DOE
18 FOUR to watch her tone while she was raising concerns about DEFENDANT SHAW's
19 discriminatory actions. JANE DOE FOUR's formal report states: “I felt that my chapter's
20 leadership had something going on and tried to cover it by blaming me....” JANE DOE
21 FOUR concluded her report by saying that she believed her experience “is not uncommon
22 for women of color in our chapter. . . . I am aware others have also had challenging
23 experiences with our leadership. I know that many of us have had to invest in therapy and

1 personal healing time simply for the trauma we experience in our TNC office.”

2 30. JANE DOE FOUR received no formal response to her complaint of
3 discrimination and harassment. Although DEFENDANT TNC’s global Human Resources
4 team said they were “investigating” the matter, the issue was still unresolved as of the date
5 of DEFENDANT SHAW’s departure from the organization in late September 2022. When
6 JANE DOE FOUR followed up with Human Resources leaders thereafter, she was told that
7 the issues she had raised were “moot” because DEFENDANT SHAW had been terminated,
8 even though those “issues” included DEFENDANT TNC’s pattern of discriminating against
9 and harassing women employees.

10 31. DEFENDANT SHAW left the organization on or about September 29, 2022,
11 after PLAINTIFF JANE DOE THREE discovered that DEFENDANT SHAW’s illegal
12 actions included online posting of false and sexually explicit photographs and comments
13 about several PLAINTIFFS and others on a video and photo sharing social media site. All
14 PLAINTIFFS learned that DEFENDANT SHAW was illegally posting photographs of
15 and/or comments about them on his account on this social media site. Without receiving
16 consent from any of the PLAINTIFFS, DEFENDANT SHAW facilitated and engaged in
17 highly sexualized commentary about JANE DOE ONE’s, JANE DOE TWO’s, and JANE
18 DOE THREE’s, appearances and actions through his misuse of photos he had taken at TNC
19 work events, photos he had lifted from the women’s private social media accounts, and
20 “deepfake” images. DEFENDANT SHAW and members of the public, many of whom were
21 DEFENDANT SHAW’s “friends” on the social media site, made dehumanizing,
22 objectifying, and/or untrue comments about PLAINTIFFS JANE DOE ONE, JANE DOE
23 TWO, and JANE DOE THREE, and without their knowledge or consent.

1 32. The images and comments, all of which were discovered by PLAINTIFFS on
2 or after September 28, 2022, included but were not limited to:

- 3 - A photo of JANE DOE ONE outside DEFENDANT TNC's Minneapolis office,
4 which DEFENDANT SHAW took during the course and scope of his work and
5 subsequently posted to his publicly-accessible social media account, and in
6 response to which a user tagged DEFENDANT SHAW in his description of JANE
7 DOE ONE as "Mild mannered by day, a tigress at night..."
- 8 - A photo of JANE DOE ONE during a donor field trip in Minnesota in which the
9 top portion of her cleavage is exposed due to the movement of her arms, which
10 DEFENDANT SHAW took without JANE DOE ONE's consent during the
11 course and scope of his work and posted to his publicly-accessible social media
12 account, which he titled with her name and about which another user commented
13 "Awsome view and fantastic capture!";
- 14 - A photo of JANE DOE TWO's buttocks and legs while she's wearing only a
15 bathing suit, which DEFENDANT SHAW posted without her consent to his
16 publicly-accessible social media account, and which he titled with her name and
17 used to solicit comments from other users including "She has such a lovely curve
18 to her ass," "love her peachy ass," and "Realy [sic] sexy...";
- 19 - A photo of JANE DOE TWO canoeing with her husband during a work trip to the
20 field in Minnesota, which DEFENDANT SHAW took during the course and
21 scope of his work and posted to his publicly accessible social media account, and
22 which he titled with her name and falsely commented "That's [JANE DOE
23 TWO's] now husband.... The three of us and my wife have a complicated but fun

1 relationship”;

2 - A photo of JANE DOE TWO’s back and buttocks while wearing only a swimsuit
3 top and swim shorts, which DEFENDANT SHAW took during the course and
4 scope of a work trip in Minnesota and posted to his publicly accessible social
5 media account, and which he titled with her real name and the comment “that ASS
6 tho!” and about which he commented to another user in or about 2021, “I just
7 followed you and added you as Friend so you can see all of our photos, including
8 more of [JANE DOE TWO]. Hope you enjoy!”;

9 - Several photos of JANE DOE TWO in swimwear due to the nature of the work
10 she was performing in the field, which DEFENDANT SHAW took and
11 subsequently posted to his publicly accessible social media account, and which
12 he titled with her real name and used to solicit comments from other users such
13 as “I wanna lick this erotic wrenkles [sic]” (in or about 2020), and “Adore [JANE
14 DOE TWO] – perfect action woman- sexy body, especially her lovely bum!” (in
15 or about January 2022);

16 - A photo of JANE DOE TWO kissing DEFENDANT SHAW’s wife on the cheek
17 at an event in Minnesota, which DEFENDANT SHAW took and posted to his
18 publicly accessible social media account, and about which he falsely commented
19 “[JANE DOE TWO] and [DEFENDANT SHAW’s wife’s name] have had sex
20 many times. I believe they did later the night of this photo. Occasionally, they let
21 me join them. Lol.”;

22 - A photo of JANE DOE TWO on the phone while sitting at her desk in
23 DEFENDANT TNC’s Minneapolis, Minnesota office, which DEFENDANT

1 SHAW took during the course and scope of his work and posted to his publicly
2 accessible social media account, and which DEFENDANT SHAW used to solicit
3 comments from other users such as “Yum,” “Great legs!,” “Cute toes,” and about
4 which DEFENDANT SHAW wrote “I have quite a few more pictures of [JANE
5 DOE TWO] in my album of the same name. If you’d like me to add you as Friend
6 you can see a few more of our Friends Only images of her. Let me know and I’ll
7 add you”;

- 8 - Several deepfake photos of JANE DOE TWO or faceless photos DEFENDANT
9 SHAW falsely attributed to JANE DOE TWO, including but not limited to: a
10 pregnant woman masturbating, a woman engaging in sexual acts, and an image
11 that appears to be JANE DOE TWO posing naked in a tent;
- 12 - A photo of JANE DOE TWO holding her infant son at their home in Minneapolis,
13 Minnesota, which DEFENDANT SHAW took from JANE DOE TWO’s personal
14 social media account and posted to his publicly accessible social media account,
15 which DEFENDANT SHAW titled “[JANE DOE TWO] and [son’s name]” and
16 used to solicit comments including “yummy mommy” and “Moms are so hot.”;
- 17 - A photo of JANE DOE THREE at work in DEFENDANT TNC’s office, which
18 DEFENDANT SHAW took in the course and scope of his work and posted to his
19 publicly accessible social media account, and about which DEFENDANT SHAW
20 had an exchange with another user in approximately late 2020 during which the
21 other user asked, “Do you have any of her nude, she is enchanting” and
22 DEFENDANT SHAW responded with a false representation that stated: “No, not
23 nude, but I do have one of her getting a facial at her birthday party. It’s in my

1 album ‘Friday night parties’”;

- 2 - The deepfake photo of JANE DOE THREE created by DEFENDANT SHAW
3 with what appears to be ejaculate covering her face, which DEFENDANT SHAW
4 uploaded to his publicly accessible social media account, and which
5 DEFENDANT SHAW titled with a false representation that states: “[JANE DOE
6 THREE’s] 30th birthday party... got a little out of hand. . . .”;
- 7 - A photo of JANE DOE THREE smiling innocently, which DEFENDANT SHAW
8 took at work and posted to his publicly accessible social media account, and which
9 was the subject of an exchange between DEFENDANT SHAW and another user
10 in which the other user asked “She was too wholesome to pose for naughty pics?”
11 and DEFENDANT SHAW replied “So far...but there’s plenty of time and
12 opportunity.”;
- 13 - A photo of JANE DOE THREE, which DEFENDANT SHAW took at work and
14 posted to his publicly accessible social media account, and about which
15 DEFENDANT SHAW commented “[JANE DOE THREE] is a gem! She also has
16 a wild side.”

17 All the above images and comments enumerated in this paragraph remained online and
18 publicly accessible through at least September 2022.

19 33. DEFENDANT SHAW also made comments about several more innocent
20 photos and directed users to his more graphic images. He fostered a community where
21 innocent photos were intensely sexualized. DEFENDANT SHAW also used the real names
22 of and pictures of his women subordinates and their family members (including at least one
23 child). If another user of the website commented about their sexual desire for one of the

1 women, DEFENDANT SHAW would recommend other photos the users should view.
2 Frequently, this included recommending that users add him as a friend in order to view the
3 more sexually graphic folders, which included the altered or deepfake images he had created
4 of PLAINTIFFS. DEFENDANT SHAW also discussed asking the women to pose nude or
5 taking photos of them in their underwear.

6 34. Shortly after DEFENDANT SHAW left his employment with DEFENDANT
7 TNC, Tri-State Chapter Director Ann Mulholland admitted in writing to DEFENDANT
8 TNC staff:

9 “We found evidence that, beyond making or inviting sexually explicit comments
10 about certain TNC staff whose photos he posted on his Flickr account, there were
11 several instances where behavior during his tenure with the Tri-State program was
12 unprofessional, violated TNC’s policies on confidentiality, and was inconsistent with
TNC’s guidelines on ethical use of images...We did find a pattern of behavior that
involved him paying excessive attention toward certain female staff that either made
the women feel uncomfortable or that it disrupted the workplace and team dynamics.”

13 35. While DEFENDANT TNC did take some action after learning about
14 DEFENDANT SHAW’s unlawful online activity, the organization’s response was
15 unreasonably late in coming, given what it already knew or should have known about
16 DEFENDANT SHAW’s other discriminatory and harassing conduct (described above) and
17 it was wholly inadequate and inappropriate. To begin, shortly after JANE DOE THREE
18 reported DEFENDANT SHAW’s unlawful online activity, Tri-State Chapter Director Ann
19 Mulholland sent an email to all Tri-State Chapter staff (more than 70 employees with whom
20 PLAINTIFFS worked closely) notifying them of the online misconduct, identifying the
21 social media site on which DEFENDANT SHAW had posted the above-described photos
22 and comments, and identifying that specific site before any of the photos were taken down
23 or removed. As a result, many of the staff members who received Chapter Director Ann

1 Mulholland's email were immediately drawn to the specific social media site to view the
2 photos of and comments about PLAINTIFFS, causing great humiliation and embarrassment
3 to PLAINTIFFS.

4 36. DEFENDANT TNC also purposefully withheld information from
5 PLAINTIFFS. For example, a representative from DEFENDANT TNC informed JANE
6 DOE TWO that there were pictures on DEFENDANT SHAW'S social media account of a
7 pregnant woman masturbating, who DEFENDANT SHAW falsely identified as JANE DOE
8 TWO, as well as pictures of a man and woman engaged in sexual acts, which DEFENDANT
9 SHAW's comments falsely identified as JANE DOE TWO and her husband. JANE DOE
10 TWO requested that DEFENDANT TNC provide copies of all photos of her and those
11 attributed to her, but to date, DEFENDANT TNC has withheld this evidence.

12 37. Furthermore, despite its actual knowledge of their existence and provenance,
13 DEFENDANT TNC failed to inform some of the PLAINTIFFS that DEFENDANT SHAW
14 had unlawfully posted and made publicly accessible altered or otherwise sexualized photos
15 and comments of them without their knowledge or consent.

16 38. PLAINTIFFS JANE DOE TWO and JANE DOE THREE initially learned
17 from friends or coworkers (not DEFENDANT TNC) that they were on DEFENDANT
18 SHAW's photo and video sharing social media account without their consent.
19 DEFENDANT TNC failed to take any steps to notify these PLAINTIFFS and other women
20 that there was a public website displaying images of them which could have dire professional
21 and social consequences, or to independently confirm that DEFENDANT SHAW had
22 removed those images and comments from the website. For example, DEFENDANT TNC
23 made an intentional choice to let JANE DOE TWO, who was in over 300 photographs

1 including some with her infant child and husband, learn about DEFENDANT SHAW's
2 misconduct from a former non-managerial colleague, even despite JANE DOE THREE's
3 request to DEFENDANT TNC that JANE DOE TWO be notified immediately at the time
4 of JANE DOE THREE's initial discovery of DEFENDANT SHAW's illegal online
5 misconduct on or about September 28, 2022.

6 39. DEFENDANT TNC has admitted that it simply relied on DEFENDANT
7 SHAW's representation that all images related to DEFENDANT TNC employees had been
8 removed from his accounts, rather than taking any action to independently investigate or
9 verify DEFENDANT SHAW's representations or to otherwise protect PLAINTIFFS and
10 their reputations. It was not until approximately October 2022 that DEFENDANT TNC
11 directed JANE DOE FIVE, who, as described herein, was herself a subject of DEFENDANT
12 SHAW's unlawful conduct, to review DEFENDANT TNC's entire website and all of the
13 organization's Tri-State Chapter-owned social media accounts in an effort to protect its own
14 reputation by ensuring that any mention of DEFENDANT SHAW had been removed. This
15 caused JANE DOE FIVE significant emotional distress, which led to her need for a leave of
16 absence and ultimately forced the separation of her employment with DEFENDANT TNC.

17 40. After learning of the images and the devastating impact they had on
18 PLAINTIFFS, DEFENDANT TNC had the temerity to ask JANE DOE THREE, and JANE
19 DOE FOUR to be in a donor video shoot in or about late 2022. JANE DOE THREE felt very
20 uncomfortable with this request and declined. JANE DOE FOUR responded to
21 DEFENDANT TNC's request by stating she felt the organization was making an
22 inappropriate request given the recent traumatic events surrounding photographs, she was
23 not comfortable with DEFENDANT TNC assuming they could use her photo, and she felt

1 DEFENDANT TNC should explain what the photos would be used for.

2 41. In or about November 2022, DEFENDANT TNC held an all staff retreat at
3 which PLAINTIFFS JANE DOE ONE, JANE DOE FOUR, and JANE DOE FIVE were
4 present. DEFENDANT TNC encouraged women staff members to speak openly on the
5 subject of DEFENDANT SHAW's misconduct. As PLAINTIFF JANE DOE ONE was
6 speaking to the group and sharing that she felt humiliated, betrayed, and let down by
7 DEFENDANTS TNC and SHAW, she had a severe physical reaction to the emotional
8 distress she was experiencing. Thereafter, JANE DOE ONE was excluded from meetings,
9 development opportunities, and treated in a hostile and cold manner by managers. These
10 events and other working conditions were so intolerable that JANE DOE ONE ultimately
11 felt compelled to resign her employment with DEFENDANT TNC.

12 42. DEFENDANT TNC's Human Resources Department did not update its
13 ineffective sexual harassment training until approximately six months after the
14 PLAINTIFFS' late September 2022 discovery of DEFENDANT SHAW's online abuse.
15 Finally, on or about April 11, 2023, DEFENDANT TNC's Human Resources team "piloted"
16 a new training for the Tri-State Chapter. This "training" included no mention of protection
17 against discriminatory or harassing photographs or images. During the training, managers
18 encouraged the attendees, including PLAINTIFF JANE DOE FOUR to report when people
19 in positions of authority used their relative power to engender feelings of insecurity or an
20 inability to speak up. When several women raised the fact that DEFENDANT TNC's willful
21 blindness to past reports was a serious concern for them, a manager replied they were sensing
22 a "combateness" and "accusatory energy" from the women, and that the women needed to
23 understand that Human Resources professionals are "flawed humans like the rest of us."

1 relation as “employee” and “employer,” respectively, within the meaning of Title VII,
2 specifically, 42 U.S.C. § 2000e(b) and (f).

3 47. Under 42 U.S.C. § 2000e-2(a)(1), “[i]t shall be an unlawful employment
4 practice for an employer - - (1) to fail to hire or to discharge any individual, or otherwise to
5 discriminate against any individual with respect to his compensation, terms, conditions,
6 terms, conditions, or privileges of employment, because of such individual’s . . . sex. . .”

7 48. As set forth at length in the preceding paragraphs, DEFENDANTS TNC and
8 SHAW discriminated against PLAINTIFFS with respect to their compensation, terms,
9 conditions or privileges of their employment because of their sex, female, including by
10 subjecting them to an intimidating, hostile or offensive work environment because of their
11 sex, female, all in violation of Title VII.

12 49. DEFENDANTS discriminating and harassing conduct included but was not
13 limited to: DEFENDANT SHAW making and/or soliciting sexualized comments about
14 photos of PLAINTIFFS that he personally took in the course and scope of work, or which
15 he was able to take from PLAINTIFFS’ social media accounts due to his “friend” status
16 granted because of his position of employment-related power and authority; DEFENDANT
17 TNC informing all Tri-State Chapter staff (more than 70 employees with whom
18 PLAINTIFFS worked closely) of the online misconduct before any of the photos were
19 removed; DEFENDANT SHAW speaking to JANE DOE ONE, JANE DOE THREE, and
20 JANE DOE FOUR in a demeaning, disparaging, and abusive manner on multiple occasions,
21 which he did not do with male employees; DEFENDANT TNC accusing a group of women
22 – including JANE DOE FOUR – of being combative and accusatory in the course of
23 receiving complaints about its failure to respond appropriately to previous complaints of

1 unlawful conduct, and further admonishing the group to be “respectful and calm” in this
2 context; and DEFENDANT TNC admonishing JANE DOE FOUR to watch her tone when
3 reporting DEFENDANT SHAW’s unlawful conduct.

4 50. As the Associate Chapter Director/Director of Conservation Science for
5 DEFENDANT TNC’s Tri-State Chapter at the time of the incidents described herein,
6 DEFENDANT SHAW was acting in the course and scope of his employment in connection
7 with the occurrences described herein, was PLAINTIFFS’ supervisor, and was the proxy or
8 alter-ego of DEFENDANT TNC; as such, DEFENDANT TNC is vicariously liable for
9 DEFENDANT SHAW’s conduct and actions.

10 51. The harassing actions were unwelcome, sufficiently severe or pervasive to
11 alter the conditions of the PLAINTIFFS’ employment and create a sexually abusive or
12 hostile work environment, and detrimentally affected all PLAINTIFFS.

13 52. All PLAINTIFFS viewed these actions and their working environment as
14 hostile or abusive, and a reasonable woman in the PLAINTIFFS’ circumstances would
15 consider DEFENDANTS’ conduct and the working environment to be hostile or abusive.

16 53. Due to ongoing complaints of DEFENDANT SHAW’s harassment and the
17 fact other agents of DEFENDANT TNC perpetrated the harassment and/or observed the
18 harassment, DEFENDANT TNC had actual or constructive knowledge of the continuous
19 and ongoing harassment.

20 54. DEFENDANT TNC failed to take prompt and appropriate remedial action to
21 prevent or correct further harassment of all PLAINTIFFS.

22 55. All PLAINTIFFS were harmed by the unwelcome harassment in that they
23 suffered emotional distress and further mistreatment in the workplace.

1 specifically, Minn. Stat. Ann. § 363A.03.

2 61. Under Minn. Stat. Ann. § 363A.08, subd. 2, “it is an unfair employment
3 practice for an employer, because of . . . sex, . . . to: . . . (3) discriminate against a person
4 with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or
5 privileges of employment.”

6 62. As set forth at length in the preceding paragraphs, DEFENDANTS TNC and
7 SHAW discriminated against PLAINTIFFS with respect to their hiring, tenure,
8 compensation, terms, upgrading, conditions, facilities, and/or privileges of employment of
9 their employment because of their sex, female, including by subjecting them to an
10 intimidating, hostile or offensive work environment because of their sex, female, all in
11 violation of the MHRA.

12 63. DEFENDANTS discriminating and harassing conduct included but was not
13 limited to: DEFENDANT SHAW making and/or soliciting sexualized comments about
14 photos of PLAINTIFFS that he personally took in the course and scope of work, or which
15 he was able to take from PLAINTIFFS’ social media accounts due to his “friend” status
16 granted because of his position of employment-related power and authority; DEFENDANT
17 TNC informing all Tri-State Chapter staff (more than 70 employees with whom
18 PLAINTIFFS worked closely) of the online misconduct before any of the photos were
19 removed; DEFENDANT SHAW speaking to JANE DOE ONE, JANE DOE THREE, and
20 JANE DOE FOUR in a demeaning, disparaging, and abusive manner on multiple occasions,
21 which he did not do with male employees; DEFENDANT TNC accusing a group of women
22 – including JANE DOE FOUR – of being combative and accusatory in the course of
23 receiving complaints about its failure to respond appropriately to previous complaints of

1 unlawful conduct, and further admonishing the group to be “respectful and calm” in this
2 context; and DEFENDANT TNC admonishing JANE DOE FOUR to watch her tone when
3 reporting DEFENDANT SHAW’s unlawful conduct.

4 64. As the Associate Chapter Director/Director of Conservation Science for
5 DEFENDANT TNC’s Tri-State Chapter at the time of the incidents described herein,
6 DEFENDANT SHAW was acting in the course and scope of his employment in connection
7 with the occurrences described herein, was PLAINTIFFS’ supervisor, and was the proxy or
8 alter-ego of DEFENDANT TNC; as such, DEFENDANT TNC is vicariously liable for
9 DEFENDANT SHAW’s conduct and actions.

10 65. The harassing actions were unwelcome, sufficiently severe or pervasive to
11 alter the conditions of the PLAINTIFFS’ employment and create a sexually abusive or
12 hostile work environment, and detrimentally affected all PLAINTIFFS.

13 66. All PLAINTIFFS viewed these actions and their working environment as
14 hostile or abusive, and a reasonable woman in the PLAINTIFFS’ circumstances would
15 consider DEFENDANTS’ conduct and the working environment to be hostile or abusive.

16 67. Due to ongoing complaints of DEFENDANT SHAW’s harassment and the
17 fact other agents of DEFENDANT TNC perpetrated the harassment and/or observed the
18 harassment, DEFENDANT TNC had actual or constructive knowledge of the continuous
19 and ongoing harassment.

20 68. DEFENDANT TNC failed to take prompt and appropriate remedial action to
21 prevent or correct further harassment of all PLAINTIFFS.

22 69. All PLAINTIFFS were harmed by the unwelcome harassment in that they
23 suffered emotional distress and further mistreatment in the workplace.

1 75. Under 42 U.S.C. § 2000e-2(a)(1), “[i]t shall be an unlawful employment
2 practice for an employer - - (1) to fail to hire or to discharge any individual, or otherwise to
3 discriminate against any individual with respect to his compensation, terms, conditions,
4 terms, conditions, or privileges of employment, because of such individual’s . . . sex. . .”

5 76. As set forth at length in the preceding paragraphs, DEFENDANTS TNC and
6 SHAW discriminated against PLAINTIFFS with respect to the compensation, terms,
7 conditions or privileges of their employment because of their sex, female in violation of Title
8 VII.

9 77. DEFENDANT TNC caused and/or permitted sex-based discrimination by
10 engaging in differential treatment of PLAINTIFFS, all of whom are women, even after
11 PLAINTIFFS JANE DOE ONE, JANE DOE THREE, and JANE DOE FOUR complained
12 of sex discrimination and harassment. Not only did DEFENDANT TNC fail to investigate
13 PLAINTIFFS claims, its management and supervisory level employees were also extremely
14 condescending and dismissive of PLAINTIFFS’ concerns and claims (for example by
15 stating PLAINTIFF JANE DOE FOUR was “combative and accusatory”) regarding
16 DEFENDANT TNC’s failure to respond appropriately to previous complaints of unlawful
17 conduct, and further admonishing this group to be “respectful and calm.” These are only
18 some examples.

19 78. As a direct and proximate result of DEFENDANT TNC’s conduct,
20 PLAINTIFFS JANE DOE ONE’s and JANE DOE FOUR’s working conditions were so
21 intolerable that they felt compelled to resign, and a reasonable person in these PLAINTIFFS’
22 positions would feel compelled to resign.

23 79. As a result of DEFENDANT’S conduct, JANE DOE ONE and JANE DOE

1 FOUR were directly and legally caused to suffer actual damages including but not limited
2 to back pay and front pay, as well as the intangible loss of employment-related opportunities
3 and other damages, all in an amount according to proof at trial.

4 80. As a direct and proximate result of the wrongful acts of DEFENDANT TNC,
5 PLAINTIFFS have suffered and continue to suffer emotional distress, humiliation, mental
6 anguish and embarrassment. PLAINTIFFS are informed and believe and thereupon allege
7 that they will continue to experience said suffering for a period in the future not presently
8 ascertainable, all in an amount according to proof at trial.

9 81. DEFENDANT TNC committed the acts set forth in this complaint despicably,
10 maliciously, fraudulently, and oppressively, with the wrongful intention of injuring
11 PLAINTIFFS, from an improper and evil motive amounting to malice, and in conscious
12 disregard of PLAINTIFFS' rights to be free from discrimination. PLAINTIFFS are thus
13 entitled to recover punitive damages from DEFENDANT TNC in an amount according to
14 proof at trial.

15 82. As a direct result of DEFENDANT TNC's violation of Title VII,
16 PLAINTIFFS have suffered and will continue to suffer loss of wages and benefits, have
17 endured and will continue to endure emotional distress, impairment of reputation, personal
18 humiliation, and mental anguish. Accordingly, PLAINTIFFS seek to recover all relief
19 available under Title VII, including compensatory damages, an award of attorneys' fees and
20 costs, as well as other fees and costs, including those related to experts, pursuant to 42 U.S.C.
21 § 2000e-5, and appropriate injunctive and equitable relief.

22 ///

23 ///

FOURTH CAUSE OF ACTION**Sex Discrimination – Disparate Treatment – in Violation of the
MHRA against DEFENDANT TNC**

All PLAINTIFFS complain against DEFENDANT TNC and allege as follows:

83. PLAINTIFFS re-allege and incorporate by reference each paragraph previously alleged in the Complaint as if fully set forth herein.

84. At all times material herein PLAINTIFFS and DEFENDANT TNC stood in relation as “employee” and “employer,” respectively, within the meaning of the MHRA, specifically, Minn. Stat. Ann. § 363A.03.

85. Under Minn. Stat. Ann. § 363A.08, subd. 2, “it is an unfair employment practice for an employer, because of . . . sex, . . . to: . . . (3) discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.”

86. As set forth at length in the preceding paragraphs, DEFENDANTS TNC and SHAW discriminated against PLAINTIFFS with respect to their hiring, tenure, compensation, terms, upgrading, conditions, facilities, and/or privileges of employment of their employment because of their sex, female all in violation of the MHRA.

87. DEFENDANT TNC caused and/or permitted sex-based discrimination by engaging in differential treatment of PLAINTIFFS, all of whom are women, even after PLAINTIFFS JANE DOE ONE, JANE DOE THREE, and JANE DOE FOUR complained of sex discrimination and harassment. Not only did DEFENDANT TNC fail to investigate PLAINTIFFS claims, its management and supervisory level employees were also extremely condescending and dismissive of PLAINTIFFS’ concerns and claims (for example by

1 stating PLAINTIFF JANE DOE FOUR was “combative and accusatory”) regarding
2 DEFENDANT TNC’s failure to respond appropriately to previous complaints of unlawful
3 conduct, and further admonishing this group to be “respectful and calm.” These are only
4 some examples.

5 88. As a direct and proximate result of DEFENDANT TNC’s conduct,
6 PLAINTIFFS JANE DOE ONE’s and JANE DOE FOUR’s working conditions were so
7 intolerable that they felt compelled to resign, and a reasonable person in these PLAINTIFFS’
8 positions would feel compelled to resign.

9 89. As a result of DEFENDANT’S conduct, PLAINTIFFS JANE DOE ONE and
10 JANE DOE FOUR were directly and legally caused to suffer actual damages including but
11 not limited to back pay and front pay, as well as the intangible loss of employment-related
12 opportunities and other damages, all in an amount according to proof at trial.

13 90. As a direct and proximate result of the wrongful acts of DEFENDANT TNC,
14 PLAINTIFFS have suffered and continue to suffer emotional distress, humiliation, mental
15 anguish and embarrassment. PLAINTIFFS are informed and believe and thereupon allege
16 that they will continue to experience said suffering for a period in the future not presently
17 ascertainable, all in an amount according to proof at trial.

18 91. DEFENDANT TNC committed the acts set forth in this complaint despicably,
19 maliciously, fraudulently, and oppressively, with the wrongful intention of injuring
20 PLAINTIFFS, from an improper and evil motive amounting to malice, and in conscious
21 disregard of PLAINTIFFS’ rights to be free from discrimination. PLAINTIFFS are thus
22 entitled to recover punitive damages from DEFENDANT TNC in an amount according to
23 proof at trial.

1 92. As a direct result of DEFENDANT TNC's violation of the MHRA,
 2 PLAINTIFFS have suffered and will continue to suffer loss of wages and benefits, have
 3 endured and will continue to endure emotional distress, impairment of reputation, personal
 4 humiliation, and mental anguish. Accordingly, PLAINTIFFS seek to recover all relief
 5 available under the MHRA, including compensatory damages, an award of attorneys' fees
 6 and costs, as well as other fees and costs, including those related to experts, pursuant to
 7 Minn. Stat. § 363A.29, and appropriate injunctive and equitable relief.

8 **FIFTH CAUSE OF ACTION**

9 **Retaliation in Violation of Title VII against DEFENDANT TNC**

10 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR complain against
 11 DEFENDANT TNC and allege as follows:

12 93. PLAINTIFFS re-allege and incorporate by reference each paragraph
 13 previously alleged in the Complaint as if fully set forth herein.

14 94. At all times material herein PLAINTIFFS and DEFENDANT TNC stood in
 15 relation as "employee" and "employer," respectively, within the meaning of Title VII,
 16 specifically, 42 U.S.C. § 2000e(b) and (f).

17 95. Under 42 U.S.C. § 2000e-(3), "It shall be an unlawful employment practice
 18 for an employer to discriminate against any of his employees or applicants for employment
 19 . . . because he has opposed any practice made an unlawful employment practice by this
 20 subchapter, or because he has made a charge, testified, assisted, or participated in any
 21 manner in an investigation, proceeding, or hearing under this subchapter."

22 96. As set forth at length in the preceding paragraphs, DEFENDANT TNC
 23 retaliated against PLAINTIFFS JANE DOE ONE and JANE DOE FOUR because they

1 opposed practices made unlawful by Title VII, including sex discrimination and harassment,
2 to which they and DEFENDANT TNC's other women employees were subjected in
3 violation of Title VII.

4 97. PLAINTIFF JANE DOE ONE made reports of discrimination and harassment
5 to her supervisor on multiple occasions. PLAINTIFF JANE DOE FOUR made a formal
6 complaint of discrimination and harassment and on the "Convercent" reporting system and
7 in follow up communications with DEFENDANT TNC's Chapter Director. Following these
8 protected complaints, JANE DOE ONE and JANE DOE FOUR were subjected to working
9 conditions that were so intolerable that a reasonable person in their positions would feel
10 compelled to resign.

11 98. PLAINTIFFS JANE DOE ONE and JANE DOE FOUR were constructively
12 discharged because of their protected complaints of discrimination and harassment.

13 99. DEFENDANT TNC committed the acts set forth in this complaint despicably,
14 maliciously, fraudulently, and oppressively, with the wrongful intention of injuring
15 PLAINTIFFS, from an improper and evil motive amounting to malice, and in conscious
16 disregard of PLAINTIFFS' rights to be free from discrimination. PLAINTIFFS are thus
17 entitled to recover punitive damages from DEFENDANT TNC in an amount according to
18 proof at trial.

19 100. PLAINTIFFS JANE DOE ONE and JANE DOE FOUR filed timely charges
20 of retaliation with the EEOC. PLAINTIFFS JANE DOE ONE and JANE DOE FOUR have
21 exhausted their administrative remedies.

22 101. As a direct result of DEFENDANT TNC's violation of Title VII,
23 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR have suffered and will continue to

1 suffer loss of wages and benefits, have endured and will continue to endure emotional
 2 distress, impairment of reputation, personal humiliation, and mental anguish. Accordingly,
 3 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR seek to recover all relief available
 4 under Title VII, including compensatory damages, an award of attorneys' fees and costs, as
 5 well as other fees and costs, including those related to experts, pursuant to 42 U.S.C. §
 6 2000e-5 and appropriate injunctive and equitable relief.

7 **SIXTH CAUSE OF ACTION**

8 **Retaliation in Violation of the MHRA against DEFENDANT TNC**

9 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR complain against
 10 DEFENDANT TNC and allege as follows:

11 102. PLAINTIFFS re-allege and incorporate by reference each paragraph
 12 previously alleged in the Complaint as if fully set forth herein.

13 103. At all times material herein PLAINTIFFS and DEFENDANT TNC stood in
 14 relation as "employee" and "employer," respectively, within the meaning of the MHRA,
 15 specifically, Minn. Stat. Ann. § 363A.03.

16 104. Under Minn. Stat. Ann. § 363A.015 "[i]t is an unfair discriminatory practice
 17 for any individual who participated in the alleged discrimination as a perpetrator, employer
 18 . . . or employee or agent thereof to intentionally engage in any reprisal against any person
 19 because that person: (1) opposed a practice forbidden under this chapter or has filed a charge,
 20 testified, assisted, or participated in any manner in an investigation, proceeding, or hearing
 21 under this chapter; or (2) associated with a person or group of persons who are disabled or
 22 who are of different race, color, creed, religion, gender identity, sexual orientation, or
 23 national origin."

1 105. As set forth at length in the preceding paragraphs, DEFENDANT TNC
2 retaliated against PLAINTIFFS JANE DOE ONE and JANE DOE FOUR because they
3 opposed practices made unlawful by the MHRA, including sex discrimination and
4 harassment, to which they and DEFENDANT TNC's other women employees were
5 subjected in violation of the MHRA.

6 106. PLAINTIFF JANE DOE ONE made reports of discrimination and harassment
7 to her supervisor on multiple occasions. PLAINTIFF JANE DOE FOUR made a formal
8 complaint of discrimination and harassment and on the "Convercent" reporting system and
9 in follow up communications with DEFENDANT TNC's Chapter Director. Following these
10 protected complaints, JANE DOE ONE and JANE DOE FOUR were subjected to working
11 conditions that were so intolerable that a reasonable person in their positions would feel
12 compelled to resign.

13 107. PLAINTIFFS JANE DOE ONE and JANE DOE FOUR were constructively
14 discharged because of the treatment they were subjected to after making protected
15 complaints of discrimination and harassment.

16 108. DEFENDANT TNC committed the acts set forth in this complaint despicably,
17 maliciously, fraudulently, and oppressively, with the wrongful intention of injuring
18 PLAINTIFFS, from an improper and evil motive amounting to malice, and in conscious
19 disregard of PLAINTIFFS' rights to be free from discrimination. PLAINTIFFS are thus
20 entitled to recover punitive damages from DEFENDANT TNC in an amount according to
21 proof at trial.

22 109. PLAINTIFFS JANE DOE ONE and JANE DOE FOUR filed timely charges
23 of retaliation with the EEOC and the Minnesota Department of Human Rights. PLAINTIFFS

1 JANE DOE ONE and JANE DOE FOUR have exhausted their administrative remedies.

2 110. As a direct result of DEFENDANT TNC's violation of the MHRA,
3 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR have suffered and will continue to
4 suffer loss of wages and benefits, have endured and will continue to endure emotional
5 distress, impairment of reputation, personal humiliation, and mental anguish. Accordingly,
6 PLAINTIFFS JANE DOE ONE and JANE DOE FOUR seek to recover all relief available
7 under the MHRA, including compensatory damages, an award of attorneys' fees and costs,
8 as well as other fees and costs, including those related to experts, pursuant to Minn. Stat. §
9 363A.29, and appropriate injunctive and equitable relief.

10 SEVENTH CAUSE OF ACTION

11 Intrusion Upon Seclusion Against DEFENDANT TNC and DEFENDANT SHAW

12 All PLAINTIFFS complain against DEFENDANTS TNC and DEFENDANT
13 SHAW and allege as follows:

14 111. PLAINTIFFS re-allege and incorporate by reference each paragraph
15 previously alleged in the Complaint as if fully set forth herein.

16 112. PLAINTIFFS had a reasonable expectation of privacy over their private affairs
17 or concerns including discussions of PLAINTIFFS' sexual activities and/or discussions of
18 PLAINTIFFS' family members and their sexual activities. Moreover, they had a reasonable
19 expectation of privacy in their solitude and seclusion over the images they posted on their
20 private Facebook accounts and pictures of them which were taken at work, allegedly for
21 marketing and/or other legitimate business purposes.

22 113. DEFENDANT SHAW unlawfully intruded, physically or otherwise, upon
23 PLAINTIFFS' solitude, seclusion and personal affairs when he: intentionally posted photos

1 of PLAINTIFFS and/or commented about PLAINTIFFS on his pornographic social media
2 accounts; took photos from PLAINTIFFS' personal Facebook accounts and reposted them
3 on his pornographic social media accounts; took photos of PLAINTIFFS during the course
4 and scope of work and then posted those photos on his pornographic social media accounts;
5 and/or created deepfake images of some PLAINTIFFS and attributed the images to
6 PLAINTIFFS his pornographic social media accounts.

7 114. As set forth above, as the Associate Chapter Director/Director of Conservation
8 Science for DEFENDANT TNC's Tri-State Chapter at the time of the incidents described
9 herein, DEFENDANT SHAW was acting in the course and scope of his employment in
10 connection with the occurrences described herein, was PLAINTIFFS' supervisor, and was
11 the proxy or alter-ego of DEFENDANT TNC; as such, DEFENDANT TNC is vicariously
12 liable for DEFENDANT SHAW's conduct and actions.

13 115. DEFENDANT DOUGLAS SHAW is also individually and personally
14 responsible and liable for his tortious conduct, including his unlawful intrusion upon
15 PLAINTIFFS' seclusion.

16 116. A reasonable person would find DEFENDANT SHAW's intrusion into
17 PLAINTIFFS' solitude, seclusion, and/or private concerns and affairs highly offensive.

18 117. As a result of the above-described conduct, PLAINTIFFS, without their
19 knowledge or consent, were featured on DEFENDANT SHAW'S pornographic social
20 media photo sharing accounts.

21 118. As a direct and proximate result of the wrongful acts of DEFENDANTS,
22 PLAINTIFFS have suffered and will continue to suffer emotional distress, humiliation,
23 mental anguish and embarrassment. PLAINTIFFS are informed and believe and thereupon

1 allege that they will continue to experience said suffering for a period in the future not
2 presently ascertainable, all in an amount according to proof at trial.

3 **EIGHTH CAUSE OF ACTION**

4 **Appropriation against DEFENDANT TNC and DEFENDANT SHAW**

5 All PLAINTIFFS complain against DEFENDANTS TNC and DEFENDANT
6 SHAW and allege as follows:

7 119. PLAINTIFFS re-allege and incorporate by reference each paragraph
8 previously alleged in the Complaint as if fully set forth herein.

9 120. DEFENDANT SHAW uploaded altered photographs that he attributed to
10 PLAINTIFFS JANE DOE TWO and JANE DOE THREE by captioning the images with
11 their names on his pornographic accounts on a photo and video sharing social media site.

12 121. The images attributed to JANE DOE TWO included but were not limited to:
13 a pregnant woman masturbating, a woman engaging in sexual acts, and an image that
14 appears to be JANE DOE TWO posing naked in a tent. These images are either faceless
15 photos that DEFENDANT SHAW falsely described as being photos of JANE DOE TWO,
16 or images that were altered to look like JANE DOE TWO.

17 122. The images attributed to JANE DOE THREE included but were not limited
18 to: an image that has been altered to make it look like JANE DOE THREE has male ejaculate
19 covering her face. DEFENDANT SHAW described this photo as JANE DOE THREE
20 “getting a facial at her birthday party.”

21 123. The images attributed to PLAINTIFFS JANE DOE ONE, JANE DOE FOUR,
22 and JANE DOE FIVE were taken and/or uploaded without these PLAINTIFFS’ consent and
23 for DEFENDANT SHAW’s own use and benefit.

1 124. DEFENDANT SHAW uploaded the photographs for his use and benefit. The
2 use and benefits include but are not limited to: DEFENDANT SHAW's sexual gratification
3 and his increased notoriety on a photo and video sharing social media site. DEFENDANT
4 SHAW encouraged users to comment on these photos and directed users who commented
5 on public photos of JANE DOE THREE and JANE DOE TWO to "friend" him and join his
6 private and pornographic account(s) on the photo and video sharing social media site.

7 125. As a direct and proximate result of the wrongful acts of DEFENDANTS,
8 PLAINTIFFS JANE DOE TWO and JANE DOE THREE have suffered and will continue
9 to suffer emotional distress, humiliation, mental anguish and embarrassment. PLAINTIFFS
10 are informed and believe and thereupon allege that they will continue to experience said
11 suffering for a period in the future not presently ascertainable, all in an amount according to
12 proof at trial.

13 NINTH CAUSE OF ACTION

14 False Light Against DEFENDANT TNC and DEFENDANT SHAW

15 PLAINTIFF JANE DOE THREE complains against DEFENDANT TNC and
16 DEFENDANT SHAW and alleges as follows:

17 126. PLAINTIFFS re-allege and incorporate by reference each paragraph
18 previously alleged in the Complaint as if fully set forth herein.

19 127. DEFENDANT SHAW in his individual capacity and as an agent of
20 DEFENDANT TNC acting in the course and scope of his employment made a public
21 disclosure by posting fake altered images and making comments about JANE DOE THREE
22 on his public and pornographic account(s) on a photo and video sharing social media site,
23 including but not limited to: (1) a deepfake image of JANE DOE THREE with male ejaculate

1 covering her face that DEFENDANT SHAW titled “[JANE DONE THREE’s] 30th birthday
2 party...got a little out of hand.” and (2) a photo of JANE DOE THREE about which
3 DEFENDANT SHAW commented that she “has a wild side,” which a reasonable person
4 would understand to mean JANE DOE THREE engages in fetish and/or kink sexual activity
5 given the context of DEFENDANT SHAW’s pornographic account on a photo and video
6 sharing social media site.

7 128. These comments were false and the images were altered and/or untrue and
8 placed JANE DOE THREE in a false light that would be highly offensive to a reasonable
9 person.

10 129. DEFENDANT SHAW in his individual capacity and as an agent of
11 DEFENDANT TNC had knowledge of the publicized facts and the false light in which
12 JANE DOE THREE would be placed and/or acted negligently in failing to learn whether the
13 publicized fact placed plaintiff in a false light.

14 130. As a direct and proximate result of DEFENDANT SHAW and DEFENDANT
15 TNC’s public disclosure, JANE DOE THREE has suffered and will continue to suffer
16 emotional distress, humiliation, mental anguish and embarrassment. PLAINTIFF JANE
17 DOE THREE is informed and believes and thereupon alleges that she will continue to
18 experience said suffering for a period in the future not presently ascertainable, all in an
19 amount according to proof at trial.

20 TENTH CAUSE OF ACTION

21 Defamation Against DEFENDANT TNC and DEFENDANT SHAW

22 PLAINTIFFS JANE DOE TWO and JANE DOE THREE complain against
23 DEFENDANT TNC and DEFENDANT SHAW and allege as follows:

1 131. PLAINTIFFS JANE DOE TWO, and JANE DOE THREE re-allege and
2 incorporate by reference each paragraph previously alleged in the Complaint as if fully set
3 forth herein.

4 132. As set forth above, as the Associate Chapter Director/Director of Conservation
5 Science for DEFENDANT TNC's Tri-State Chapter at the time of the incidents described
6 herein, DEFENDANT SHAW was acting in the course and scope of his employment in
7 connection with the occurrences described herein, was PLAINTIFFS' supervisor, and was
8 the proxy or alter-ego of DEFENDANT TNC; as such, DEFENDANT TNC is vicariously
9 liable for DEFENDANT SHAW's conduct and actions.

10 133. DEFENDANT SHAW is also individually and personally liable and
11 responsible for his unlawful conduct.

12 134. As set forth above, DEFENDANTS have made a number of false statements
13 regarding PLAINTIFFS, including by intentionally publishing altered photographic or video
14 images and false comments about PLAINTIFFS' alleged sexual proclivities onto
15 DEFENDANT SHAW'S social media accounts for the purpose of communicating the
16 content to third parties, including his social media followers and/or other members of the
17 public.

18 135. The false comments and altered images of PLAINTIFFS which were publicly
19 available on the internet and continued to be available up at least through September 2022
20 included, but were not limited to:

- 21 - A photo of JANE DOE TWO canoeing with her husband during a work trip
22 to the field in Minnesota, which DEFENDANT SHAW took during the course
23 and scope of his work and originally posted on or about July 22, 2016 to his

publicly accessible social media account, and which he falsely commented “That’s [JANE DOE TWO’s] now husband.... The three of us and my wife have a complicated but fun relationship”;

- A photo of JANE DOE TWO kissing DEFENDANT SHAW’s wife on the cheek at an event in Minnesota, which DEFENDANT SHAW took and originally posted to his publicly accessible social media account on or about August 20, 2016, and about which he falsely commented “[JANE DOE TWO] and [DEFENDANT SHAW’s wife’s name] have had sex many times. I believe they did later the night of this photo. Occasionally, they let me join them. Lol.”;

- Several deepfake photos of JANE DOE TWO or faceless photos DEFENDANT SHAW falsely attributed to JANE DOE TWO, including but not limited to: a pregnant woman masturbating, a woman engaging in sexual acts, and an image that appears to be JANE DOE TWO posing naked in a tent;

- A deepfake photo of JANE DOE THREE falsely portraying ejaculate covering her face, which DEFENDANT SHAW originally uploaded to his publicly accessible social media account on or about June 27, 2022, and which DEFENDANT SHAW titled “[JANE DOE THREE’s] 30th birthday party... got a little out of hand. . . .”;

- A photo of JANE DOE THREE at work in DEFENDANT TNC’s office, which DEFENDANT SHAW took in the course and scope of his work and posted to his publicly accessible social media account, and about which

1 DEFENDANT SHAW had an exchange with another user in approximately
2 late 2020 during which the other user asked, “Do you have any of her nude,
3 she is enchanting” and DEFENDANT SHAW responded with a false
4 representation that stated: “No, not nude, but I do have one of her getting a
5 facial at her birthday party. It’s in my album ‘Friday night parties’”;

- 6 - A photo of JANE DOE THREE, which DEFENDANT SHAW took at work
7 and posted to his publicly accessible social media account, and about which
8 DEFENDANT SHAW commented “[JANE DOES THREE] is a gem! She
9 also has a wild side.”

10 136. The foregoing statements made and images/videos posted by DEFENDANTS
11 constitute defamation.

12 137. DEFENDANTS communicated, disseminated, or published the foregoing
13 false statements and images/videos to persons other than PLAINTIFFS.

14 138. The subject statements and images/videos are false, and DEFENDANT
15 published them at a time they knew, or should have known, that they were false.

16 139. DEFENDANTS knew or should have known that the subject statements and
17 images/videos would harm PLAINTIFFS’ professional reputations or lower their estimation
18 in the community.

19 140. The recipients of the statements and/or images/videos reasonably understood
20 that they referred to specific individuals, namely PLAINTIFFS.

21 141. Because the subject statements and/or images/video affect PLAINTIFFS in
22 their business or profession, constitute accusations of serious sexual misconduct and/or
23 constitute accusations of crimes involving moral turpitude, they constitute defamation per

1 se.

2 142. As a direct result of DEFENDANTS' defamation, PLAINTIFFS have
3 suffered, and will continue to suffer, emotional distress, humiliation, embarrassment, loss of
4 reputation, loss of enjoyment of life, lost wages and benefits, and have incurred other
5 damages all in an amount to be proven at trial.

6 **ELEVENTH CAUSE OF ACTION**

7 **Intentional Infliction of Emotional Distress Against**
8 **DEFENDANT TNC and DEFENDANT SHAW**

9 All PLAINTIFFS complain against DEFENDANT TNC and DEFENDANT SHAW
10 and allege as follows:

11 143. PLAINTIFFS re-allege and incorporate by reference each paragraph
12 previously alleged in the Complaint as if fully set forth herein.

13 144. DEFENDANT SHAW engaged in intentional or reckless behavior including
14 but not limited to posting and maintaining his pornographic account(s) on a photo and video
15 sharing social media site and treating PLAINTIFFS in a discriminatory and harassing
16 manner that was so extreme and outrageous that it passed the boundaries of decency and is
17 utterly intolerable to the civilized community.

18 145. DEFENDANT TNC engaged in intentional or reckless behavior including but
19 not limited to continuing to employ DEFENDANT SHAW with the knowledge of his hostile
20 behavior towards PLAINTIFFS, not adequately investigating PLAINTIFFS' complaints, all
21 of which was so extreme and outrageous that it passed the boundaries of decency and is
22 utterly intolerable to the civilized community.

23 146. DEFENDANT TNC and/or DEFENDANT SHAW's conduct was intentional

or reckless.

147. DEFENDANT TNC and/or DEFENDANT SHAW's conduct caused emotional distress to PLAINTIFFS that was so severe that no reasonable person could be expected to endure it.

148. As a result of DEFENDANT SHAW and/or DEFENDANT TNC's actions, PLAINTIFFS sustained damages.

TWELFTH CAUSE OF ACTION

Negligent Infliction of Emotional Distress Against DEFENDANT TNC and DEFENDANT SHAW

PLAINTIFFS complain against DEFENDANT TNC and DEFENDANT SHAW and allege as follows:

149. PLAINTIFF re-allege and incorporate by reference each paragraph previously alleged in the Complaint as if fully set forth herein.

150. DEFENDANT SHAW and DEFENDANT TNC failed to utilize the same standard of care as a reasonable person or organization in the same or similar circumstances.

151. The conduct caused emotional distress to PLAINTIFFS.

152. The distress was so severe that no reasonable person could be expected to endure it.

153. As a result of DEFENDANT SHAW and/or DEFENDANT TNC's actions, PLAINTIFFS sustained damages.

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THIRTEENTH CAUSE OF ACTION**Negligent Retention and Supervision in Violation of Minnesota Common Law
against DEFENDANT TNC**

PLAINTIFFS complain against DEFENDANT TNC and allege as follows:

154. PLAINTIFFS re-allege and incorporate by reference each paragraph previously alleged in the Complaint as if fully set forth herein.

155. DEFENDANT TNC had a duty to refrain from retaining employees with known dangerous proclivities or propensities.

156. As set forth at length in the preceding paragraphs, DEFENDANT TNC knew or should have known that its employee and agent, DEFENDANT SHAW, was volatile, aggressive, and/or sexually inappropriate, that he had a propensity to expose his women colleagues, including PLAINTIFFS, to unwelcome sexual conduct or communications of a sexual nature, that he posed a threat of physical injuries and/or severe mental anguish to other employees, and/or that he was otherwise unfit for employment with DEFENDANT TNC.

157. Illustrative, but by no means exhaustive, examples of DEFENDANT TNC's knowledge of DEFENDANT SHAW's dangerous proclivities or propensities include the following: PLAINTIFF JANE DOE ONE made reports of DEFENDANT SHAW's discrimination and harassment to her supervisor on multiple occasions, but no preventative or corrective actions were taken. PLAINTIFF JANE DOE THREE made complaints of DEFENDANT SHAW's discrimination and harassment to her male supervisor on multiple occasions over roughly seven years, but no preventative or corrective actions were taken. In mid-September 2022, JANE DOE THREE also reported to the Tri-State Chapter Director

1 her concerns about DEFENDANT SHAW traveling with women subordinates, but no
2 preventative or corrective actions were taken. Additionally, PLAINTIFF JANE DOE FOUR
3 made a formal complaint of DEFENDANT SHAW's discrimination and harassment on the
4 "Convercent" reporting system and in follow up communications with DEFENDANT
5 TNC's Tri-State Chapter Director, but no preventative or corrective actions were taken.
6 Additionally, DEFENDANT TNC unreasonably failed to improve its procedures and
7 policies following an outside law firm's "investigation" into reports of sex harassment in or
8 about 2019, when DEFENDANT SHAW was employed.

9 158. Despite the foregoing knowledge, DEFENDANT TNC failed to exercise
10 reasonable care in supervising its employment relationship with DEFENDANT SHAW and
11 failed to take reasonable action, including but not limited to investigation, reassignment, or
12 discharge, that would have protected PLAINTIFFS and prevented their injuries.

13 159. As a direct result of DEFENDANT TNC's negligent retention and supervision
14 of DEFENDANT SHAW, PLAINTIFFS have suffered and will continue to suffer loss of
15 wages and benefits, have endured and will continue to endure emotional distress and loss of
16 enjoyment of life, and have incurred other damages all in an amount to be proven at trial.

17 DAMAGES

18 160. PLAINTIFFS suffered emotional distress and economic damages as a legal
19 result of the conduct by Defendants of which PLAINTIFF complains. PLAINTIFFS suffered
20 mental distress, suffering and anguish as a legal result of DEFENDANTS' outrageous
21 conduct, reacting to their treatment at work with humiliation, embarrassment, anger,
22 disappointment and worry, all of which is substantial and enduring. PLAINTIFFS will seek
23 leave to amend this complaint to state the amount or will proceed according to proof at trial.

Minn. Stat. Ann. § 363A et seq.

b. A permanent injunction against DEFENDANT TNC and its officers, agents, successors, employees, representatives, and any and all persons acting in concert with DEFENDANT TNC, prohibiting them from engaging in unlawful sex discrimination, sex harassment, and/or retaliation against employees or applicants for employment, including on the basis of sex and ordering them to remove from social media all images and photos of PLAINTIFFS on any accounts over which DEFENDANT SHAW exercises any control.

c. Back pay and front pay (including interest and benefits), according to proof, and other affirmative relief necessary to eradicate the effects of DEFENDANTS TNC AND DOUGLAS SHAW'S unlawful employment practices;

d. Compensatory, emotional distress, reputation and punitive damages;

e. Reasonable attorneys' fees and all expenses and costs of this action;

f. Pre-judgment interest; and

g. Such other and further legal and equitable relief as this Court deems necessary, just, and proper.

Dated: April 30, 2024

By: /s/ Therese Lawless

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DEMAND FOR JURY TRIAL

PLAINTIFFS demand a trial by jury of all issues so triable in this action.

Dated: April 30, 2024

By: /s/ Therese Lawless

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